GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 482 **Dated: 15-05-2018**

ORDER:

It is proposed to hold an inquiry against Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District is further informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District is aware of such a representation

(p.t.o.)

and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve and return the acknowledged copy and Written Statement of Defense).

Copy to:

The Genl. Admn. (Vigilance & Enforcement) Department, Administrative block, 2nd floor, Pandit Nehru Bus Station, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, 5th Block, first floor, Sectt., Buildings, Velagapudi, Guntur Dist.
The Panchayat Raj & Rural Development (Estt.I) Department.
S.f./S.c.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI B.P. MADHUSUDHAN BABU, AEE., MEO., MP., BADVEL MANDAL AND THE THEN MANDAL ENGINEERING OFFICER, B.MATTAM MANDAL, YSR KADAPA DISTRICT

CHARGE:-

That Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District has committed grave irregularities in execution of project for Comprehensive development of SC/ST Colonies under MGNREGS for "providing CC Roads with Drains in Zinkala Nagar, Ambedkar Nagar, and Sai Nagar H.W of B. Mattam Mandal" in YSR Kadapa Dist., and caused loss to the Government exchequer to a tune of Rs. 75,41,410/-., in as much as he:-

i. Allowed laying of CC pavement without obtaining mix design report and approval from the competent authority.
ii. Recorded measurements and recommended for payment without ascertaining the quality of CC pavement resulting in substandard quality of work, worth Rs.69,36,598/-.
iii. Recorded measurements of sand layer of 100/75 mm without physically laying and recommended payment of Rs.6,04,812/- to the agency, thereby, facilitated misappropriation of Government money.
iv. Recorded 36.60m length of CC pavement more than actual length executed.

Thus, Sri B.P. Madhusudhan Babu, Assistant Executive Engineer & Mandal Engineering Officer, MP Badvel Mandal and the then Mandal Engineering Officer, B. Mattam Mandal, YSR Kadapa District by his above mentioned acts, has exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B.P. MADHUSUDHAN BABU, AEE., MEO., MP., BADVEL MANDAL AND THE THEN MANDAL ENGINEERING OFFICER, B.MATTAM MANDAL, YSR KADAPA DISTRICT

The V&E Department has inspected the work "Providing CC Roads with CC Drains in Zinkala Nagar, Ambedkar Nagar, and Sai Nagar H.W of B. Mattam Mandal" YSR Kadapa Dist." and furnished their report in Vigilance Report No.69 (40-2/V&E/E/2015), dated:31.07.2017 mentioning the following irregularities:-

i. Sub grade soil exploration was not conducted and the crust of the pavement was neither designed nor approved. The 125mm thickness of CC pavement provided in the approved estimate was insufficient as per table 5 of IRC SP 62 – 2004, but sub base thickness provided was more than the required.

ii. The length, width and thickness of CC pavement were verified and found that width and thickness were only tallying with the recorded measurements, but lengths were not tallying with the recorded measurements in roads 1)Tirupalaiah house to Raveendra nagar SC colony road and 2) Balija satram to Karnataka annadhana satram and the total shortfall in length was 36.60m (3.10+33.50).

iii. Sand layer of 100 mm/75mm thickness was not executed under CC pavement. But, the field Officers recorded measurements in M.Book without physically laying sand layer and the payment authority paid bills without any work, resulting in misappropriation of Rs.6,04,812/-.

iv. The CC pavement was laid without obtaining the mix design report from agency and without obtaining approval from the competent authority.

V. The compressive strength of CC pavement was tested by extracting 27 CC cores from hardened concrete. The strength obtained was not satisfying the strength requirement as per clause 17.4.3 of IS 456 – 2000. Thus, the work was executed with sub-standard quality. The rejected value of CC Pavement due to substandard quality of work is Rs.69,36,598/-.

v. CC pavement laid from Badvel R&B road to four roads junction, from Hillock side gravel road to Govt. Hospital and from Handicapped Colony (Guravaiah house) to MPDO office recorded vide page 35 to 39 of MB 131-A/12-13 are laid outside the colony. CC pavement of 1142m length was laid outside the colony, which do not serve any purpose, causing wasteful expenditure.

vi. During field verification, it is observed that CC pavement was laid at different levels at the junction of the roads and longitudinal profile was not maintained for smoothly negotiating the vehicle at the junctions. The total length of the CC pavement executed is 6172m against the provision of 2692m in original estimate. The length of the road executed more than original estimated length is 3480m and the percentage deviation is 129.30%.

vii. The work was not completed in all respects as on 04.08.2016 and there was an unspent balance of Rs.4.10 lakhs in the sanctioned estimate. No action was initiated by the field staff to complete the work in full shape.

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Sri B.P. Madhusudan Babu, Assistant Executive Engineer / Mandal Engineering Officer is responsible for the above irregularities as a first level field executive.

Thus, the above Government servant has failed to discharge his legitimate duties properly and acted for his personal gain and caused loss to the Government, to a tune of Rs. 75,41,410/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -III

List OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI D.P. MADHUSUDHAN BABU, AEE., MEO., MP., BADVEL MANDAL AND THE THEN MANDAL ENGINEERING OFFICER, B.MATTAM MANDAL, YSR KADAPA DISTRICT ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.69 (C.No.40-2/V&E/E/2015) dated:31.07.2017

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI D.P. MADHUSUDHAN BABU, AEE., MEO., MP., BADVEL MANDAL AND THE THEN MANDAL ENGINEERING OFFICER, B.MATTAM MANDAL, YSR KADAPA DISTRICT ARE PROPOSED TO BE SUSTAINED

NIL

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER